IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

WEDNESDAY, THE 23RD AUGUST 2006 / 1ST BHADRA 1928

Bail Appl..No. 5137 of 2006

O.R.NO.2/2006 OF FOREST STATION, SOUTH KUMARAM PEROOR, KONNY RANGE

PETITIONER/ACCUSED

NOUSHAD, AGED 30,
S/O.ABDUL RAHMAN,
THANNIMOOTTIL VEETTIL,
KUMMANNOOR, TRAVON VILLAGE.

BY ADV. SRI.PHILIP M.VARUGHESE
SRI.V.SETHUNATH

RESPONDENTS: COMPLAINANT AND STATE

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1. DEPUTY RANGER,
FOREST STATION,
SOUTH KUMARAM PEROOR,
KUMMANNOOR.

2. STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA,
ERNAKULAM.

BY ADV. ADV.SUSHEELA R BHATT SPL.GP(FORESTS)
PUBLIC PROSECUTOR K.RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 5137/2006

DATED THIS THE 23RD DAY OF AUGUST, 2006

O R D E R

The petitioner is accused of the offence punishable under Section 27 i (e), (iii) and (iv) of the Kerala Forest Act, 1961. It is alleged that he, along with others, had cut and removed one teak tree from the forest area of Kumaram Peroor Forest Station. The petitioner is required for interrogation, for further investigation, submits the prosecution. However, the petitioner is before this Court, under Section 438 Cr.P.C., as the second accused, in O.R.No.2/2006 of South Kumaram Peroor Forest Station, within the Konny Division.

2. After hearing both sides, I direct the petitioner, second accused, in O.R.No.2/2006 of South Kumaram Peroor Forest Station, to surrender before the Forest Range Officer, Kumaram Peroor Forest Station, on 31.8.2006. The Forest Range Officer shall interrogate the petitioner and thereafter, produce him before the

competent Court of law having jurisdiction, as per the law.

3. The learned Magistrate shall consider the prayer of the petitioner for bail and the submissions, if any, made by the Forest authorities, and pass orders on the bail application, on the date of production itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs